

App. No. 09/551,919
Response Dated May 18, 2004
Reply to Office Action of November 19, 2003

REMARKS/ARGUMENTS

Claims 1-34 are pending in the application. Claims 1-34 stand rejected. Claims 1, 7, 11-12, 18, 22-23, 29, and 33 stand rejected under 35 USC §103(a) as being unpatentable over U.S. patent No. 5,875,345 (Naito) in view of U.S. patent No. 5,664,097 (Johnson_097). Claims 2, 13, and 24 rejected under 35 USC §103(a) as being unpatentable over Naito in view of Johnson_097 as applied to claims 1, 12, and 23 above and further in view of U.S. Patent No. 5,682,475 (Johnson_475). Claims 3-6, 14-17, and 25-28 are rejected under 35 USC §103(a) as been unpatentable over Naito in view of Johnson_097 as applied to claims 1, 12, and 23 above, and further in view of "System Mode Transition with Notification and Adoption," IBM Technical Disclosure Bulletin, September 1995, Vol. 38, Issue No. 9, pp. 153-154 (IBM). Claims 8-10, 19-21, and 30-32 are rejected under 35 USC §103(a) as been unpatentable over Naito in view of Johnson-097 as applied to claims 7, 18, and 29 above and further in view of U.S. Patent No. 6,209,104 (Jalili). Claim 34 is rejected under 35 USC §103(a) as being unpatentable over Naito in view of Johnson_097 as applied to claim 29 above, and further in view of U.S. Patent No. 6,282,553 (Flickner). No new matter has been added.

Rejection of Claims under 35 U.S.C. §103(a)

Claims 1, 7, 11-12, 18, 22-23, 29, and 33 stand rejected under 35 USC §103(a) as being unpatentable over U.S. patent No. 5,875,345 (Naito) in view of U.S. patent No. 5,664,097 (Johnson_097). Regarding claims 1, 12, and 23, Naito fails to teach or suggest continuing the operating session if the user performs an **authentication-update process** within a second

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predetermined time period after the operating session is suspended, and continuing the operating session if the user performs the **authentication process** after the operating session is suspended in the second predetermined time period is exceeded. In contrast, Naito teaches that the "second predetermined time is a reference period of time for determining whether or not a password input should be requested before recovering the task, and is called a 'security time'" (col. 4, lines 24-28). Thus, the second predetermined time of Naito is used for determining **whether to perform** an authentication process, and is **not** used to determine **whether an authentication has been performed**.

Furthermore, Johnson_097 does not teach or suggest a second predetermined time. Johnson_097 merely teaches allowing an alternate input device (such as a voice recognition device) to be used with a security input device (such as a keyboard) such that the input from the alternate input device emulates an input from security input device for the purpose of delaying the activation of an inactivity security mechanism (col. 2, lines 35-44). Thus, Johnson_097 does **not teach an authentication procedure** (which determines, for example, the identity of a user), but rather teaches a **delay of an inactivity security mechanism** (such as a lockout after a period of time expires). Johnson_097 further teaches delaying the (inactivity) security mechanism only when the time limit on the security mechanism is about to expire, wherein the user can select a shorter delay time to ensure that the security mechanism will be delayed (column 4, lines 41-45). Accordingly, the shorter time delay relates to delaying the security mechanism and does not relate to an authentication update process.

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The office action asserts that it would have been obvious to one of ordinary skill in the art to modify the system of Naito so as to include an authentication process by delaying locking up of a user interface as for teachings of Johnson_097 because one would have been motivated to make such the modification in view of the (alleged) suggestion in Naito that in a system wherein improve security is stressed, authentication could be necessary, because this incorporation further improve system security. Applicant traverses this assertion because Johnson_097 does not contain a teaching (or suggestion) to continue the operating session if the user performs an authentication-update process within a second predetermined time period after the operating session is suspended. Instead, Johnson_097 teaches away from using an authentication process because Johnson_097 merely delays the suspension process itself, which enhances security without requiring an authentication process.

As discussed above, the primary and secondary references both fail to teach a second predetermined time period that relates to an authentication-update process, and do not singly or in a motivated combination anticipate the limitations of claims 1, 12, and 13. Accordingly, claims 1, 12, 13 are not obvious over Naito in view of Johnson_097 and are submitted to be allowable.

Regarding claims 7, 18, and 29, Naito in view of Johnson_097 fails to teach performing an authentication-update process comprising inputting a predetermined signal to the user-operated device within the second predetermined time period. Instead, Johnson_097 teaches registering an alternate input device that allows for the continued disabling of a security mechanism (col. 3, lines 61-67). The registration process involves using a secured input device to register an (unregistered) input device, wherein a threshold value is used to decide if input

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from the voice input device is the user input or non-user input (such as background noise on the voice recognition device) (col. 4, lines 1-25). This registration process is **not** an authentication process because it does not **authenticate** a particular user, but instead merely **distinguishes between an arbitrary user and background noises**.

The office action asserts that would be obvious to one of ordinary skill in the art to modify the system of Naito so as to include an authentication process to delay locking up of the user interface as per teachings of Johnson_097 because where improved system security is stressed, authentication could be necessary, because this incorporation further improves system security. Applicant traverses this assertion because Johnson_097 does not contain a teaching (or suggestion) to perform an authentication-update process within a second predetermined time period. In contrast, Johnson_097 teaches away from using an authentication process because the registration process of Johnson_097 merely allows a secondary device to be used to delay the activation of the inactivity security mechanism, and does not in any way authenticate a user. In other words, the "predetermined signal" of Johnson_097 can only be used to determine the **presence** of a user at a terminal, but cannot be used to determine the **identity** of that user, and thus is not an authentication process.

As discussed above, the primary and secondary references both fail to teach a second predetermined signal that relates to an authentication-update process, and do not singly or in a motivated combination anticipate the limitations of claims 7, 18, and 29. Accordingly, claims 7, 18, and 29 are not obvious over Naito in view of Johnson_097 and are submitted to be allowable.

Regarding claims 11, 22, and 33, Naito in view of Johnson_097 fails to teach performing an authentication-update process comprising input in a predetermined audio voice signal to the

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user-operated device within the second predetermined time period. As discussed above with regards to claims 7, 18, and 29, Naito in view of Johnson_097 merely uses a voice recognition system to determine the presence of the user, and fails to authenticate the user as recited by the instant claims.

As discussed above, the primary and secondary references both fail to teach a second predetermined signal that relates to an authentication-update process, and do not singly or in a motivated combination anticipate the limitations of claims 11, 22, and 33. Accordingly, claims 11, 22, and 33 are not obvious over Naito in view of Johnson_097 and are submitted to be allowable.

Claims 2, 13, and 24 stand rejected under 35 USC §103(a) as being unpatentable over Naito in view of Johnson_097 as applied to claims 1, 12, and 23 above and further in view of U.S. Patent No. 5,682,475 (Johnson_475). Claims 2, 13, and 24 are allowable at least because of the reasons of allowability given for the claims above from which claims 2, 13, and 24 depend. Accordingly, claims 2, 13, and 24 are not obvious over Naito in view of Johnson_097 as applied to claims 1, 12, and 23 above and further in view Johnson_475 and are submitted to be allowable.

Claims 3-6, 14-17, and 25-28 stand rejected under 35 USC §103(a) as been unpatentable over Naito in view of Johnson_097 as applied to claims 1, 12, and 23 above, and further in view of "System Mode Transition with Notification and Adoption," IBM Technical Disclosure Bulletin, September 1995, Vol. 38, Issue No. 9, pp. 153-154 (IBM). Claims 3-6, 14-17, and 25-28 are allowable at least because of the reasons for allowability given for the claims above from which claims 3-6, 14-17, and 25-28 depend.

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Claims 8-10, 19-21, and 30-32 are rejected under 35 USC §103(a) as been unpatentable over Naito in view of Johnson_097 as applied to claims 7, 18, and 29 above and further in view of U.S. Patent No. 6,209,104 (Jalili). As discussed above, Naito in view Johnson_097 fails to teach or suggest continuing the operating session if the user performs an **authentication-update process** within a second predetermined time period after the operating session is suspended, and wherein the authentication update process comprises inputting a predetermined signal to the user-operated device within the second predetermined time period. In contrast, Jalili merely teaches a method of secure data entry wherein data is inputted by selecting points on or approximate to the icons (col. 3, lines 1-19) such that the server subsystem is able to determine the input data from the user without directly exposing that data to observation or interception (col. 3, lines 19-23).

The office action asserts that would be obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Naito in view of Johnson_097 so as to include the visual authentication process as taught by Jalili because this modification provides a system that is not easily susceptible to the over-the-shoulder problem. Applicant traverses this assertion because as discussed above, Naito in view of Johnson 97 fails to teach (or suggest) an authentication update process within a second predetermined time period using a predetermined signal for authentication.

Furthermore, Jalili also fails to teach or suggest an authentication-update process within a second predetermined time period using a predetermined signal for authentication. Jalili teaches away from the present invention, because it presents a method of entering data using icons, for

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example, in a non-standard format (see Fig. 4 of Jalili), which **obfuscates data entry to both the user and to the passers-by**, and because the authentication-update process generally provides a more easily used interface as compared with a userid/password entry combination. (In other words, Jalili makes entering authentication information more difficult for the user, and the instant invention generally makes entering such information easier, albeit the information is entered in a different context).

As discussed above, the primary and secondary references both fail to teach a an authentication-update process within a second predetermined time period using a predetermined signal for authentication, and do not singly or in a motivated combination anticipate the limitations of claims 8-10, 19-21, and 30-32. Accordingly, claims 8-10, 19-21, and 30-32 are not obvious in view of the cited art and are submitted to be allowable.

Claim 34 stands rejected under 35 USC §103(a) as being unpatentable over Naito in view of Johnson_097 as applied to claim 29 above, and further in view of U.S. Patent No. 6,282,553 (Flickner). As discussed above, Naito in view Johnson_097 fails to teach or suggest continuing the operating session if the user performs an **authentication-update process** within a second predetermined time period after the operating session is suspended, and wherein the authentication update process comprises inputting a predetermined signal to the user-operated device within the second predetermined time period. In contrast, Flickner merely teaches a computer-implemented method for gaze-assisted number generating including operating a gaze tracking apparatus to monitor eye operation of the computer operator as the operator views a virtual keypad having a plurality of keys.

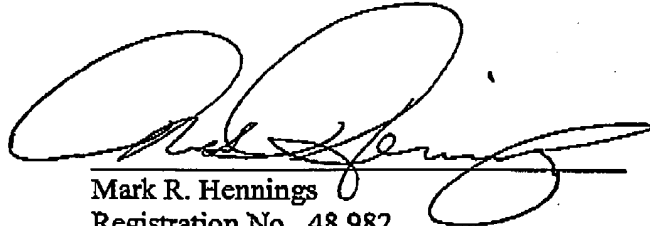
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The office action asserts that would be obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Naito and Johnson_097 so as to include gaze-based authentication processes for the teachings of Flickner because it is advantageous to use gaze-based authentication because it is accurate and inexpensive. Applicant traverses this assertion because none of the primary, secondary, or tertiary, references, either singly, or in motivated combination, teach or suggest an **authentication-update process** within a second predetermined time period after the operating session is suspended, and wherein the authentication update process comprises inputting a predetermined signal to the user-operated device within the second predetermined time period. Accordingly Claim 34 is not rendered obvious by the prior art and a submitted to be allowable.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

A large, stylized handwritten signature in black ink, appearing to read 'Mark R. Hennings', is written over a horizontal line.

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